

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TYLER DIVISION**

ARIC W. HALL,

Plaintiff

v.

LVNV FUNDING, LLC

Defendant

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CASE NO. 6:16CV36

DEFENDANT'S ANSWER

Defendant LVNV Funding, LLC ("Defendant") files this Answer to Plaintiff's Civil Complaint (the "Complaint") and states as follows:

1. Defendant denies the allegations contained in paragraph 1 of the Complaint.
2. Defendant admits that this court has jurisdiction and that venue is proper in this district. Defendant denies the remaining allegations contained in paragraph 2.
3. Defendant denies that Plaintiff "disputed the entry under FCRA § 611." The remaining allegations contained in paragraph 3 are either conclusions of law or allegations in the pleading to which no response is required.
4. Defendant denies with the allegations contained in paragraph 4.
5. Defendant answers the "sequence of communications" contained in paragraph 5 as follows:
 - Defendant denies that it posted a collection account on Plaintiff's credit reports on January 28, 2014.
 - Defendant lacks knowledge or information sufficient to form a belief about the truth of any allegations against Credit Control, LLC.
 - Defendant admits that it received a letter from Plaintiff addressed to Credit

Control, LLC dated April 2, 2014. Defendant denies that this letter constituted a “demand for validation.” Defendant denies the remaining allegations in this bullet point.

- Defendant admits that Plaintiff sent letters dated April 2, 2014 to Equifax Information Services and TransUnion requesting reinvestigation of the debt. Defendant admits that it verified the debt to these two entities. Defendant lacks knowledge or information sufficient to form a belief as to Plaintiff’s allegation regarding contacting “all three” consumer reporting agencies.
- Defendant lacks knowledge or information sufficient to form a belief about the truth of the allegations contained in this bullet point dated April 15, 2014.
- Defendant lacks knowledge or information sufficient to form a belief about the truth of the allegations contained in this bullet point dated April 24, 2014.
- Defendant admits that it received a letter from Plaintiff dated April 29, 2014, containing a Notice of Dispute under the FCRA. Plaintiff lacks knowledge or information sufficient to form a belief about the truth of the remaining allegations contained in this bullet point.
- Defendant lacks knowledge or information sufficient to form a belief about the truth of the allegations contained in this bullet point dated April 29, 2014.
- Defendant lacks knowledge or information sufficient to form a belief about

the truth of the allegations contained in this bullet point dated April 29, 2014.

- Defendant admits that Resurgent Capital sent a letter dated May 6, 2014 to Plaintiff verifying the debt. Defendant denies the remaining allegations in this bullet point.
- Defendant lacks knowledge or information sufficient to form a belief about the truth of the allegations contained in this bullet point dated May 9, 2014.
- Defendant lacks knowledge or information sufficient to form a belief about the truth of the allegations contained in this bullet point dated October 29, 2014.
- Defendant lacks knowledge or information sufficient to form a belief about the truth of the allegations contained in this bullet point dated November 20, 2014.

Defendant denies the remaining allegations in paragraph 5.

6. Defendant denies that Plaintiff has suffered actual harm and special injury. Defendant lacks knowledge or information sufficient to form a belief about the truth of the remaining allegations contained in paragraph 6.

7. Defendant admits that Plaintiff seeks damages. Defendant denies that Plaintiff is entitled to statutory, compensatory, or punitive damages. Defendant denies that it has acted with malice or gross negligence. Defendant denies the remainder of the allegations contained in paragraph 7.

PRAYER

WHEREFORE, Defendant prays that upon final hearing, all relief sought by Plaintiff be

denied; and have such other and further relief, at law or in equity, general or special, to which it may show itself justly entitled.

Respectfully submitted,

/s/ Michael L. Jones

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**ATTORNEYS FOR DEFENDANT
LVNV FUNDING, LLC**

CERTIFICATE OF SERVICE

I certify that a true and correct copy of Defendant's Answer was forwarded via email to Aric W. Hall (arichall@yahoo.com), P.O. Box 952, Bullard, TX 75757 on this the 31st day of August, 2016.

/s/ Michael L. Jones

Michael L. Jones

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